

I. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Pursuant to due call and notice thereof, the Regular Meeting of the Crystal City Council was held on Tuesday, December 3, 2013 at 7:00 p.m. in the Council Chambers at 4141 Douglas Drive in Crystal, Minnesota. Mayor Adams called the meeting to order.

ROLL CALL

Mayor Adams asked the city clerk to call the roll for elected officials. Upon roll call, the city clerk recorded the following attendance:

COUNCIL

Present: Budziszewski, Deshler, Hoffmann, Libby, Peak, Selton, and Adams.

STAFF

City Manager A. Norris, City Attorney M. Norton, Assistant City Manager/Human Resources Manager K. Therres, Finance Director C. Hansen, City Planner J. Sutter, Public Works Director T. Mathisen, Police Chief S. Revering, Fire Chief S. Larson, and City Clerk C. Serres.

PLEDGE OF ALLEGIANCE

Mayor Adams led the Council and audience in the Pledge of Allegiance.

II. ACKNOWLEDGMENT

The Mayor acknowledged the receipt of \$43.00 from Buffalo Wild Wings for a fundraiser held on October 28, 2013 in support of the Police Explorers program.

III. COUNCIL MEETING MINUTES

The Council considered the minutes from the following meetings in a single motion:

- a. The Council Work Session from November 14, 2013;
- b. The Regular City Council Meeting from November 19, 2013; and
- c. The Council Work Session from November 19, 2013.

Moved by Council Member Deshler and seconded by Council Member Peak to approve the above minutes in a single motion.

Motion carried.

IV. CONSENT AGENDA

The Council considered the following items, which are routine and non-controversial in nature, in a single motion:

1. Approval of the list of license applications submitted by the City Clerk to the City Council, a list that is on file in the office of the City Clerk;
2. Approval of disbursements over \$25,000 submitted by the Finance Director to the City Council, a list that is on file in the office of the Finance Director;

IV. CONSENT AGENDA CONTINUED

3. Approval of Resolution No. 2013-75 to amend the 2013 General Fund Budget.

Moved by Council Member Peak and seconded by Council Member Hoffmann to approve the consent agenda.

Motion carried.

PUBLIC HEARING

The Mayor announced the purpose of the Public Hearing:

The consideration of the 2014 budget and proposed 2014 property tax levy and related resolutions approving: a) 2014 General Fund Budget; b) 2014 budgets for Special Revenue, Debt Service, Capital Projects, Enterprise, and Internal Service Funds; and c) 2014 property tax levies.

Due to technical difficulties, the Mayor changed the order of the agenda items to allow Open Forum before the Public Hearing.

V. OPEN FORUM

No public comment was given during open forum.

VI. PUBLIC HEARING

1. The Mayor re-announced the purpose of the Public Hearing:

The consideration of the 2014 budget and proposed 2014 property tax levy and related resolutions approving: a) 2014 General Fund Budget; b) 2014 budgets for Special Revenue, Debt Service, Capital Projects, Enterprise, and Internal Service Funds; and c) 2014 property tax levies.

Finance Director C. Hansen addressed the Council.

The Mayor opened the public hearing for testimony. There being no one wishing to appear before the Council to give testimony, Mayor Adams declared the public hearing closed.

a) Moved by Council Member Peak and seconded by Council Member Deshler to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 2013 - 76

RESOLUTION APPROVING THE 2014 GENERAL FUND BUDGET

Voting aye: Budziszewski, Deshler, Hoffmann, Libby, Peak, Selton, and Adams.

Motion carried, resolution declared adopted.

VI. PUBLIC HEARING CONTINUED

b) Moved by Council Member Deshler and seconded by Council Member Libby to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 2013 – 77

RESOLUTION APPROVING THE 2014 BUDGETS FOR THE
SPECIAL REVENUE, DEBT SERVICE, CAPITAL PROJECTS,
ENTERPRISE, AND INTERNAL SERVICE FUNDS

Voting aye: Budziszewski, Deshler, Hoffmann, Libby, Peak, Selton, and Adams.

Motion carried, resolution declared adopted.

c) Moved by Council Member Deshler and seconded by Council Member Peak to adopt the following resolution, the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. 2013 - 78

RESOLUTION APPROVING THE 2014 PROPERTY TAX LEVIES

Voting aye: Budziszewski, Deshler, Hoffmann, Libby, Peak, Selton, and Adams.

Motion carried, resolution declared adopted.

VII. REGULAR AGENDA

1. The Council considered the second reading and adoption of an ordinance amending section 405 to allow multicolor electronic signs.

City Planner J. Sutter addressed the Council and answered questions.

Moved by Council Member Deshler and seconded by Council Member Hoffmann to adopt the following ordinance as recommended by the Planning Commission at its meeting on November 12, 2013, based on findings of fact and subject to the conditions outlined in Section B of the Staff Report:

ORDINANCE NO. 2013 – 07

AN ORDINANCE AMENDING SECTION 405 OF CRYSTAL CITY CODE
TO PERMIT MULTICOLOR ELECTRONIC DISPLAYS

and further, that this is the second and final reading.

The Council discussed the proposed ordinance.

By roll call and voting aye: Hoffmann, Libby, Peak, and Adams.
Voting nay: Selton, Budziszewski, and Deshler.

Motion carried.

VII. REGULAR AGENDA CONTINUED

2. The Council considered administrative civil penalties for the violation of ordinances and laws relating to the illegal sale of tobacco to an underage person by Crystal Tobacco located at 122 Willow Bend.

The Council discussed the options to impose a penalty on the Licensee.

Moved by Council Member Libby and seconded by Mayor Adams to impose civil penalties of a fine of \$500 and a license suspension of 10 days, 5 of which may be stayed if the licensee elects to complete tobacco compliance training at their expense for all staff. Additionally, the suspension may be completed as one day per week for the applicable 5 or 10 consecutive weeks. The Council discussed the merits of the motion.

Moved by Council Member Peak to amend the motion so that the 10-day suspension remains; however, 9 of those days may be stayed if the licensee elects to complete tobacco compliance training at their expense for all staff. Council Member Deshler seconded the motion.

The Council discussed parliamentary issues with the City Attorney. The Council discussed the merits of the motion to amend.

Council Member Peak withdrew his motion to amend.

Moved by Council Member Deshler to amend the main motion to impose civil penalties of a fine of \$500 and a license suspension of 10 days, 9 of which may be stayed if there are no same or similar violations within 24 months and the licensee elects to complete tobacco compliance training at their expense for all staff. Council Member Peak seconded the motion. The Council discussed the merits of the motion to amend.

By roll call and voting aye: Peak, Adams, and Deshler.
Voting nay: Libby, Selton, Budziszewski, and Hoffmann.

Motion failed.

The Council voted on the original motion:

Moved by Council Member Libby and seconded by Mayor Adams to impose civil penalties of a fine of \$500 and a license suspension of 10 days, 5 of which may be stayed if the licensee elects to complete tobacco compliance training at their expense for all staff. Additionally, the suspension may be completed as one day per week for the applicable 5 or 10 consecutive weeks. The Council discussed the merits of the motion.

Council Member Selton moved to call the question.

By roll call and voting aye: Adams and Libby.
Voting nay: Peak, Selton, Budziszewski, Deshler and Hoffmann.

Motion failed.

VII. REGULAR AGENDA CONTINUED

Moved by Council Member Budziszewski and seconded by Council Member Selton to impose civil penalties of a fine of \$500 and a license suspension of 10 days that shall be completed as one day per week for 10 consecutive weeks with the City Clerk determining the suspension dates. The Council discussed the merits of the motion.

By roll call and voting aye: Selton, Budziszewski, Hoffmann, and Libby.
Voting nay: Adams, Deshler, and Peak.

Motion carried.

VIII. INFORMATION AND DISCUSSION

Mayor Adams read the following announcements:

- a. The next City Council Meeting will be at 7:00 p.m. on Tuesday, December 17, in the Council Chambers at City Hall.
- b. The Crystal Business Association meets at 11:30 a.m. on Wednesday, December 18, at The 6300, Embassy Suites in Brooklyn Center.
- c. City offices will be closed Tuesday and Wednesday, December 24 and 25, in observance of the Christmas holiday.
- d. *Winterfest* will be held Saturday, December 7 at the Crystal Community Center from 10:00 a.m. to noon.
- e. The annual Tree Lighting Event at Crystal Shopping Center will be Saturday, December 7 from 4:00 p.m. – 6:00 p.m.

IX. ADJOURNMENT

Moved by Council Member Budziszewski and seconded by Council Member Libby to adjourn the meeting.

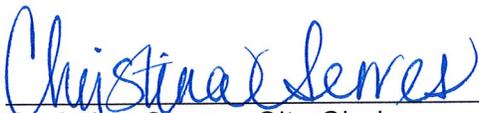
Motion carried.

The meeting adjourned at 7:52 p.m.



Jim Adams, Mayor

ATTEST:



Christina Serres, City Clerk